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Report of the Secretary-General on the situation in Abyei

I. Introduction

1. The present report is submitted pursuant to paragraph 15 of Security Council resolution 2047 (2012), in which the Council requested that I continue to inform it of progress in the implementation of the mandate of the United Nations Interim Security Force for Abyei (UNISFA), and to bring to its attention any serious violations of the Agreement of 20 June 2011 between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area (S/2011/384, annex). The present report also provides an update on progress made in the implementation of the additional tasks mandated to UNISFA under Security Council resolution 2024 (2011) related to the Joint Border Verification and Monitoring Mechanism. In addition, the report provides an update on the situation in Abyei and on the deployment and operations of UNISFA since my previous report on the matter issued on 25 July 2012 (S/2012/583).

II. Security situation

2. During the period under review, the security situation in the Abyei Area remained generally stable. A company size force of approximately 120 to 150 Sudanese oil police remained inside the oil complex in Diffra in the northern Abyei Area. The oil police did not conduct any operations outside of the oil complex. Nonetheless, their presence constitutes a violation of the Agreement of 20 June 2011 and Security Council resolutions 1990 (2011) and 2046 (2012).

3. The annual migration of the Misseriya nomads through the Abyei Area, which began late in October 2011, was completed during the reporting period. As of mid-August, UNISFA confirmed that the reverse movement of the nomads northwards from water sources and grazing land in the Abyei Area and Unity State in South Sudan, which began in May, was completed without any major security incidents.

4. Misseriya traders, on the other hand, have maintained a presence in the Abyei town market. Owing to an increase in the rate of return of displaced Ngok Dinka to the Abyei Area following the withdrawal of Sudanese armed forces in May and June 2012, commercial activity between the two communities increased during the reporting period. Although no major security incidents have been reported, law and

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order is a growing concern, given the lack of a police presence in Abyei town. One specific issue in this context was the location of a market which had the potential of being a security threat because of its congestion, and which would, therefore, be difficult to manage in case of inter-communal security incidents. UNISFA has requested the Abyei Joint Oversight Committee to consider relocating the market for this reason. As at 16 September, nearly all of the traders had moved to the old market, which UNISFA assisted in rehabilitating.

5. As noted in my previous report, with the onset of the rainy season the United Nations Mine Action Service has suspended operations in the Abyei Area. In this context, the Ethiopian demining platoon remained at full capacity to address threats from mines and unexploded ordnance. On 8 August 2012, the platoon carried out a controlled demolition of unexploded ordnance and ammunition discovered near the local hospital in Abyei town on 1 August.

III. Political developments

6. There was very little progress on the further implementation of the Agreement of 20 June 2011 during the reporting period. Following the adoption of the terms of reference for the Joint Military Observer Committee during the fifth session of the Abyei Joint Oversight Committee in July 2012, the deployment of Sudanese and South Sudanese members of the Committee to the Abyei Area commenced on 31 July 2012. As at 13 September, 39 members of the Committee and members of the Joint Military Observer Teams have undergone predeployment training in the Abyei Area. Under the Agreement of 20 June 2011, the Committee is responsible for, inter alia, observing and monitoring the security situation in the Abyei Area, verifying and investigating allegations of threats to civilians, and reporting them to the Committee.

7. The sixth session of the Committee was held from 9 to 11 August in Abyei town. Although the regular holding of Committee meetings since the fourth session in June 2012 is an encouraging development, at the last session the Committee failed to make any progress on the implementation of decisions taken during the fifth session in July 2012. In particular, the parties could not agree on the content of a joint letter to their respective Presidents informing them of and requesting their guidance on how to resolve disagreements regarding the establishment of the institutions of the Abyei Area Administration. Similarly, the parties failed to agree on the draft terms of reference of the intergovernmental task force on humanitarian assistance for Abyei, owing to differences over their representation in the task force and a dispute over references to Sudanese law as the framework for its activities. Finally, the Committee failed to adopt the draft concept of operations for the Abyei Police Service because the Sudanese police expert was not present at the meeting.

8. Meanwhile, on the sidelines of the sixth session of the Committee, the most influential traditional Ngok Dinka and Misseriya leaders agreed to start discussing issues of common interest, under the auspices of the Committee, as a prelude to a comprehensive and broad-based dialogue involving all components of the Ngok Dinka and Misseriya communities. In addition to underlining the crucial importance of inter-community dialogue, a joint communiqué, sanctioning the preliminary consultations, acknowledged the relevance of the grievances expressed by the Ngok

Dinka community and called for continuous dialogue between the communities. The leaders did not however set precise timelines for pursuing this dialogue.

9. On 16 August, UNISFA received a copy of a decision of the Government of the Sudan to dispatch 10 members of the Abyei Area Executive Committee to the Abyei Area before the end of August, and a request by the Chairman of the Executive Committee to provide security and accommodation for those members. The Abyei Area Executive Committee had been created by the Government of the Sudan after the military takeover of the Abyei Area by the Sudanese armed forces in May 2011. This decision of the Government of the Sudan followed a similar decision taken by the Government of South Sudan, dated 26 June 2012, to relocate the secretariat of the former Abyei Area Administration from Agok to Abyei town, as described in my previous report. Given the lack of progress on the further implementation of the Agreement of 20 June 2011, these two unilateral decisions, both of which constitute violations of that Agreement, led to an increase in tension between the two Governments. Following the latter decision, the two sides exchanged public accusations of the other having violated the Agreement. So far, neither decision has been implemented. However, as a result of the controversy over these unilateral decisions, the seventh session of the Abyei Joint Oversight Committee, which was to have been held on 10 September in Addis Ababa, was postponed until further notice.

10. Finally, there was no progress on the resolution of the final status of the Abyei Area during the reporting period. During the ongoing negotiations, the African Union High-level Implementation Panel confirmed to the parties that it would submit a proposal on this issue to President Omer Al-Bashir and President Salva Kiir for consideration during their upcoming summit.

IV. Humanitarian situation

11. The pace of return of displaced persons to areas north of the Kiir/Bahr el-Arab River remained steady during the reporting period. As at 10 September, UNISFA observed that approximately 12,000 displaced persons have returned to areas north of the Kiir/Bahr el-Arab River, including 3,500 to Abyei town, out of the approximately 110,000 people who fled their homes in May 2011.

12. During the period under review, the Office of the United Nations High Commissioner for Refugees conducted a population movement profiling and a protection needs assessment to determine trends in population movements and evaluate the overall situation with regard to the protection of civilians in the Abyei Area. The vast majority of displaced persons interviewed expressed their intention to return to their places of origin in the Abyei Area. After visiting those locations, returnees are beginning to construct shelters and to prepare themselves for the return of their families after the rainy season. Furthermore, the majority of interviewees who have returned stated that they felt safe in their current locations of return. Only a few of them cited the presence of Misseriya traders in the Abyei town market as a security concern.

13. Food distribution continued in August, during which an estimated 75,000 people were reached. Food security and livelihood partners also distributed seeds and agricultural tools to displaced persons. The United Nations Children's Fund continued providing potable water to displaced persons and returnees, while

UNISFA delivered trucks of water to areas of return in which hand pumps and water yards have not yet been rehabilitated. UNISFA also assisted with the rehabilitation of the water well near the Abyei town hospital, supported the returnees in Abyei town with their agricultural activities, provided on-the-job training to the nurses, and provided water, electricity and furniture to the Abyei hospital.

V. Protection of civilians

14. Apart from incidents of cattle raiding, which UNISFA resolved smoothly and in close cooperation with local leaders, no inter-communal conflict was reported in the Abyei Area during the period under review. Pending the establishment and effective functioning of the Abyei Area joint institutions, the mission continued to implement its multifaceted strategy for the protection of civilians. The mission's efforts in this regard focused on monitoring and early warning assessments, conducting day and night patrols, promoting inter-community dialogue between the Misseriya and Ngok Dinka communities through their traditional leaders and through its interaction with Sudanese and South Sudanese Government officials.

15. Direct security threats to the civilian population in the Abyei Area remained minimal, as the rainy season severely restricted the movement of communities and their respective armed groups. However, the risks of confrontation will be considerably heightened in the next few months in view of the expected increase in the rate of return of the displaced Ngok Dinka population and the beginning of the next Misseriya migration immediately following the end of the rainy season. Tensions between communities and the desire for revenge and retribution remains high in view of the destruction suffered in the Abyei Area in May 2011. UNISFA has begun to develop a new conflict prevention and mitigation strategy, which maximizes the use of all of the mission's military and civilian resources, to minimize the risk of confrontation between the two communities.

16. There were no new developments during the period under review with regard to the operationalization of human rights monitoring in the Abyei Area, as called for under paragraph 10 of resolution 1990 (2011).

VI. Deployment of the United Nations Interim Security Force for Abyei

17. As at 1 September, the military component of UNISFA comprised 3,967 of its authorized troop strength of 4,200 (see annex I to the present report). The remaining 233 elements are earmarked for deployment within the UNISFA air aviation unit, and as military observers and force protection for the Joint Border Verification and Monitoring Mechanism.

18. The UNISFA military component continued to be deployed in three sectors (see annex II to the present report). During the reporting period, however, most of the UNISFA troops were redeployed along the main roads in view of the extensive deterioration of the supply routes resulting from heavy rain. The temporary operating bases that were located at Um Khariet, Thurpader, Marial Achak, Tejalai, Dungoup, Korognal, Alal, Noong and Anthony have been relocated to Farouk, Diffra, Goli, Abyei town, Bantoum and Maniang.

19. In order to ensure the peaceful and orderly return of displaced Ngok Dinka and the conclusion of the Misseriya reverse movement northwards, UNISFA continued to conduct extensive day and night patrols. The Sudanese oil police did not interfere with the Force's movements or its operations during the reporting period.

20. As noted above, no progress has been made on the establishment of the Abyei Police Service. In the meantime, UNISFA continued with preparations for the deployment of an advance police team, comprising the Senior Police Adviser and 11 police advisers. Currently, all of them are awaiting their visas from the Government of the Sudan. The purpose of the advance team will be to provide UNISFA with assistance in the further development of the terms of reference of the Abyei Police Service with the parties, advising the UNISFA Head of Mission on law and order issues, and preparing for the deployment of additional United Nations police advisers, as provided for under the UNISFA mandate.

VII. Status of the Joint Border Verification and Monitoring Mechanism

21. The Sudan and South Sudan have yet to activate the Joint Border Verification and Monitoring Mechanism, which they agreed to establish in the Agreement on Border Security and the Joint Political and Security Mechanism of 29 June 2011 and the Agreement on the Border Monitoring Support Mission of 30 July 2011. They were unable to reach an agreement on the Safe Demilitarized Border Zone during the ongoing negotiations in Addis Ababa. The Government of the Sudan continued to object to the location of the centre line of the Safe Demilitarized Border Zone in the Kiir/Bahr el-Arab River valley in the map proposed by the African Union High-level Implementation Panel in November 2011 and endorsed by the Security Council in its resolution 2046 (2012).

22. In the meantime, UNISFA continued preparations for the operationalization of the Mechanism. The Sudan, South Sudan and UNISFA maintained 32, 30 and 34 monitors, respectively, at the temporary headquarters of the Mechanism in Assosa, Ethiopia. From 30 July to 29 August 2012, the monitors attended a joint training course on all aspects of the Mechanism's functioning and mandate. The final week of training, from 22 to 30 August 2012, was organized with the support of the Government of Norway and focused on the Mechanism's joint operational concept, monitoring standards, and teamwork requirements and on providing the monitors with a sound understanding of the relevant agreements they will be implementing.

23. On 17 August 2012, the UNISFA Head of Mission submitted to the Governments of the Sudan and South Sudan a draft roll-out plan for the deployment of the Border Mechanism, to address the operational constraints related to the lack of infrastructure in some of the agreed sector headquarters and team sites, and the time necessary to establish these infrastructures after the end of the rainy season. The roll-out plan, which is to be implemented after the Mechanism is officially activated, would be completed in two phases. During the first phase, an initial operating capacity would be established. All operations would be conducted from two sector headquarters, at Assosa, Ethiopia, and Kadugli, Southern Kordofan, Sudan. Each of the two sectors would comprise two teams of monitors. The Assosa headquarters would be responsible for operations to the east of the Abyei Area,

while the Kadugli headquarters would cover operations to the west of the Abyei Area. Full operating capacity would be reached by January 2013, with the full deployment of the Mechanism to its headquarters, the four sector headquarters and 10 team sites.

24. Each of the two deployment phases would have air assets and force protection. In the same communication, UNISFA also requested both parties to deploy an additional 36 national monitors to the temporary headquarters in Assosa by the end of October 2012 for their induction. As at 10 September 2012, UNISFA has not received a response regarding the proposal from either Government.

25. During the period under review, staff of the United Nations Mine Action Service worked with UNISFA to fully integrate their work in the planning of future operations of the Joint Border Verification and Monitoring Mechanism. Once the Mechanism is operational, Mine Action Service staff will assist the monitoring teams with operating safely along the full extent of the Safe Demilitarized Border Zone.

VIII. Mission support

26. During the reporting period, UNISFA continued its efforts to improve the quality of life of its military component. The supply, quality and quantity of food delivered to the troops improved significantly during the period under review. Owing to the deterioration in the road connection from the contractors' warehouse in Wau, South Sudan, to the central delivery point in the Abyei Area, fresh food and rations were airlifted using an MI-26 helicopter. Delivery from the central delivery point in the Abyei Area to military component company locations was conducted by road. The mission also supported the World Food Programme by making available one Rubb Hall warehouse in the Abyei town camp with storage capacity of over 300 tons for emergency food supplies.

27. Approximately 50 per cent of UNISFA troops continue to reside in tents. The transfer of 204 prefabricated containers for hard-wall accommodation from the African Union-United Nations Hybrid Operation in Darfur (UNAMID) to the Abyei Area is almost complete. Ethiopian military tents which were damaged during heavy rain in June 2012 were replaced with United Nations tents provided from UNAMID and the Global Service Centre in Brindisi, Italy. UNISFA also completed the transfer of eight pieces of heavy engineering equipment from UNAMID. The hard-wall accommodation, tents and heavy equipment will enable the mission to commence construction work immediately after the end of the rainy season. UNISFA troops continue to reside in elevated locations along the main supply route (north-south) through the Abyei Area during the rainy season.

28. From 16 July to 2 August 2012, UNISFA successfully completed its first rotation of 1,538 Ethiopian troops. The rotation was conducted using L-100 aircraft under a letter of assist from Ethiopia and using the airfield in Kadugli, Southern Kordofan State, as the entry and exit point. Owing to the deterioration of road conditions and in order to forestall a reduction in operational capability during the handover and takeover of operational units, the rotation had to be carried out using 93 MI-8 flights to shuttle the rotating troops from Abyei to Kadugli and back.

29. The mission continued to strengthen the operational capability of the interim headquarters of the Joint Border Verification Monitoring Mechanism in Assosa, Ethiopia. UNISFA has deployed 11 international civilian mission support staff to Assosa. The mission continued to provide Sudanese and South Sudanese monitors in Assosa with accommodation, transportation, life, medical, communications and information technology support. The mission has further continued negotiations with the Government of Ethiopia on the necessary operating procedures which will come into effect as soon as the Mechanism is operational. These procedures include access to the temporary headquarters in Assosa and the use of the airfield.

30. During the reporting period, UNISFA sought to secure additional entry and resident visas from the Government of the Sudan for its staff. Nonetheless, 31 requests for resident visas for mission support personnel and an additional four visa requests for substantive personnel remain pending.

IX. Financial implications

31. The General Assembly, by its resolution 66/241 B of 21 June 2012, appropriated the amount of $257.9 million for the maintenance of the Force for the period from 1 July 2012 to 30 June 2013. Should the Security Council decide to extend the mandate of UNISFA beyond 27 November 2012, the cost of maintaining the Force would be limited to the amount approved by the General Assembly for the 2012/13 financial period. As at 12 September 2012, unpaid assessed contributions to the Special Account for UNISFA amounted to $93.3 million. Total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,517.5 million. Reimbursement to the contributing Government for troop and contingent-owned equipment costs has been made for the periods up to 31 May 2012 and 31 March 2012, respectively, in accordance with the quarterly payment schedule.

X. Observations and recommendations

32. The security situation in the Abyei Area has remained calm. However, the deadlock between the two parties over the establishment of the joint administration institutions and the Abyei Police Service, as provided under the Agreement of 20 June 2011, if allowed to persist, could severely undermine and even reverse progress made in the implementation of the Agreement.

33. The initiation of preliminary direct talks between traditional leaders of the Ngok Dinka and Misseriya communities is an encouraging development, but the situation remains extremely fragile. If this process is to achieve the intended result of a comprehensive and broad-based dialogue leading to reconciliation and peaceful coexistence, it is absolutely essential for the Abyei Joint Oversight Committee, the political umbrella responsible for overseeing the organization of the dialogue, to make sure that it takes place within a clear and time-bound plan of action that includes tangible outcomes and genuine peace dividends for both communities. UNISFA will continue providing the Committee with support in this regard.

34. I remain deeply concerned about the postponement of the seventh session of the Abyei Joint Oversight Committee, which was scheduled for 10 September 2012,

as well as the parties' failure to reach an agreement on any of the outstanding issues related to the implementation of the Agreement of 20 June 2011. In particular, the persistent differences over the establishment of the Abyei Area Administration institutions, the formation of the Abyei Police Service and the delivery of humanitarian assistance to all of the affected communities in the Abyei Area risk undermining and reversing the progress made towards the restoration of peace and security in the Abyei Area. I urge the Governments of the Sudan and South Sudan to refrain from any unilateral actions likely to undermine the implementation of the Agreement and complicate efforts to determine the final status of the Abyei Area. The two Co-Chairs of the Committee should seek to maintain close communication on all issues of common concern related to the Abyei Area.

35. In order for the anticipated large-scale return of displaced persons to the Abyei Area to result in sustainable resettlement, the parties must ensure that the Committee is able to fully and effectively carry out all of its mandated tasks and that the dispute over the Abyei Area Administration is finally resolved. They must take urgent steps to remove all existing obstacles to the delivery of humanitarian assistance to all affected communities, and, in particular, agree on the terms of reference of the intergovernmental task force on humanitarian assistance for Abyei. The deployment by the Office for the Coordination of Humanitarian Affairs of a Senior Humanitarian Coordinator to the Abyei Area will help to facilitate the delivery of humanitarian assistance to the population. I urge the Governments of the Sudan and South Sudan to extend their fullest cooperation and support to the Senior Humanitarian Coordinator.

36. It is also of critical importance for all concerned stakeholders to expedite the establishment of the Abyei Area joint institutions to address the basic needs of the resident communities. The creation of a local and joint police force is essential to fill the security vacuum following the withdrawal of Sudanese and South Sudanese armed forces. It would also reduce the exposure of the local population and humanitarian actors to potential risks posed by the activities of criminals. Lastly, it is my hope that progress in the development of local institutions will also result in an agreement on an alternative security arrangement for the oil complex in Diffra, thereby allowing the withdrawal of the Sudanese oil police.

37. The operationalization of the Joint Border Verification and Monitoring Mechanism remains a major requirement for defusing tension between the Sudan and South Sudan, building mutual trust and confidence and developing neighbourly relations between them. While I commend both Governments for having recently deployed their national monitors to the temporary headquarters of the Mechanism in Assosa, I urge them to quickly reach an agreement on the Safe Demilitarized Border Zone, so that the Mechanism can be activated immediately. UNISFA has deployed troops, military observers, support personnel and air assets to facilitate the initial operations of the Mechanism and is ready to start.

38. In resolution 2047 (2012), the Security Council expressed its intention to review the mandate of UNISFA after a period of four months. Given the current status of the peace process between the Sudan and South Sudan, the security situation on the border and the political and security situation in the Abyei Area, I recommend that the mandate and troop levels of UNISFA be maintained and that the Security Council consider a further six-month extension of the Force's current mandate.

39. Finally, I would like to reiterate my deepest condolences to the Government and people of Ethiopia on the death of the Prime Minister, Meles Zenawi, who contributed relentlessly and immensely to the restoration of peace and stability in the Abyei Area. It is my sincere hope that his successor will preserve the commendable support of the Government of Ethiopia for the work of UNISFA.

40. I would also like to express my appreciation to my Special Envoy, Haile Menkerios, and to the African Union High-level Implementation Panel led by Thabo Mbeki for their sustained efforts to assist the two parties in resolving their persistent differences over the practical modalities for implementing the various agreements they have signed. Moreover, I would like to extend my gratitude to the Head of Mission, Lieutenant General Tadesse Werede Tesfay, and the staff of UNISFA for their continued efforts to help to restore normalcy to the Abyei Area, including by promoting reconciliation and peaceful coexistence between the various communities, often under very difficult conditions.

Annex I

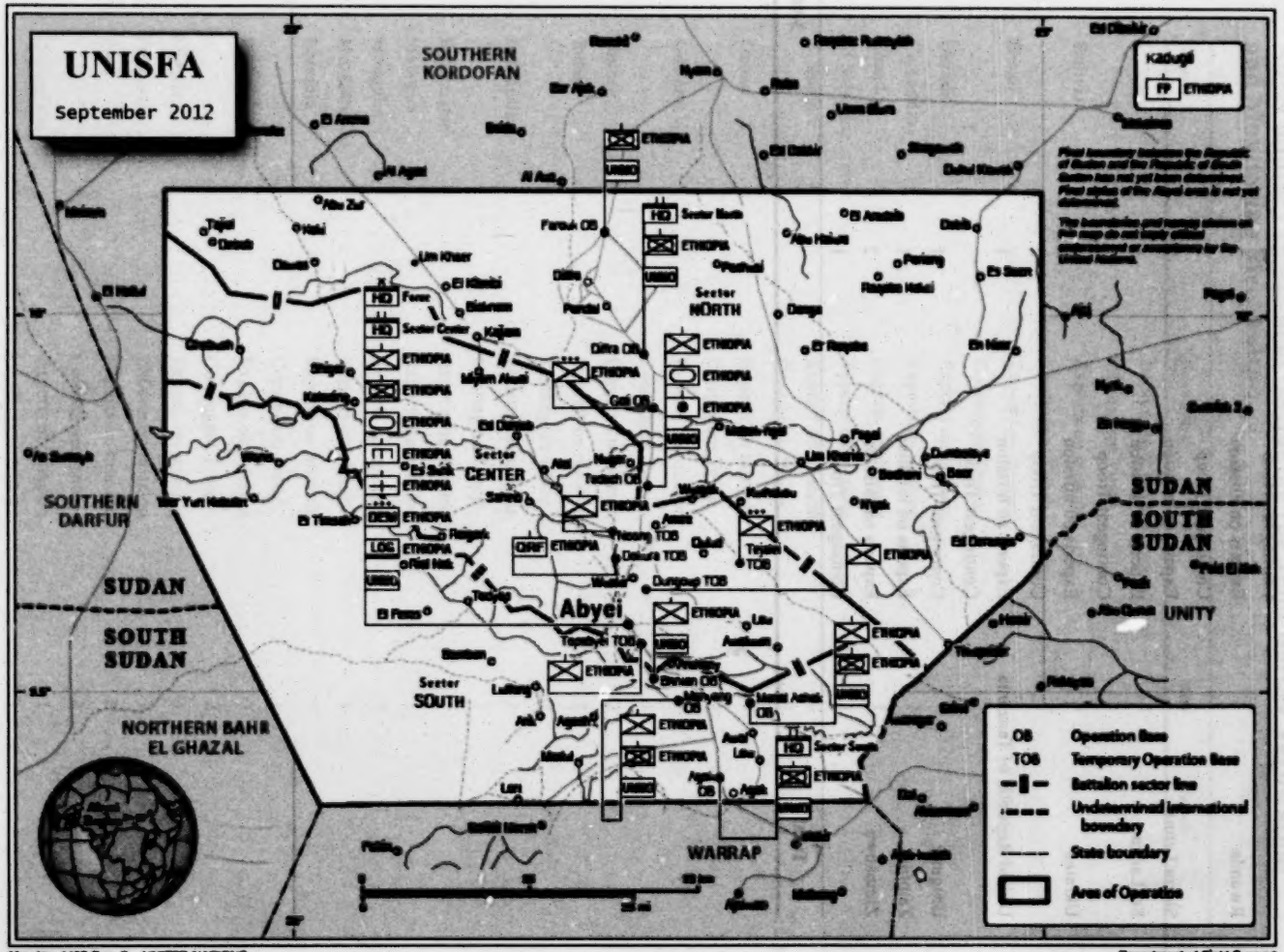
Composition of the United Nations Interim Security Force for Abyei military component (including the Joint Border Verification and Monitoring Mechanism)

Country	*Description*	*Male*	*Female*	*Total*
Benin	Experts on mission	3		
	Contingent Troop	1		4
Bolivia	Experts on mission	3		
	Contingent Troop	1		4
Brazil	Experts on mission	1		
	Contingent Troop	2		3
Burundi	Experts on mission	1		1
Cambodia	Experts on mission	1		1
Ecuador	Experts on mission	1		1
El Salvador	Experts on mission	1		1
Ethiopia	Experts on mission	79	4	
	Contingent Troop	3 603	202	3 888
Ghana	Experts on mission	3		
	Contingent Troop	2		5
Guatemala	Experts on mission	2		
	Contingent Troop	1		3
Guinea	Experts on mission	2		2
India	Experts on mission	2		
	Contingent Troop	2		4
Indonesia	Experts on mission	1		
	Contingent Troop	1		2
Kyrgyzstan	Experts on mission	1		1
Malaysia	Experts on mission	1		1
Mongolia	Experts on mission	2		2
Mozambique	Experts on mission	1		1
Namibia	Experts on mission	1		
	Contingent Troop	1		2
Nepal	Experts on mission	3		
	Contingent Troop	2		5
Nigeria	Experts on mission	3		3
Paraguay	Experts on mission	1		1
Peru	Experts on mission	2		
	Contingent Troop	1		3
Philippines	Experts on mission	1		
	Contingent Troop	1		2

Country	*Description*	*Male*	*Female*	*Total*
Russian Federation	Experts on mission	1		
	Contingent Troop	2		3
Rwanda	Experts on mission	2		
	Contingent Troop	2		4
Sierra Leone	Experts on mission	3		3
Sri Lanka	Experts on mission	5		
	Contingent Troop	1		6
Ukraine	Experts on mission	2		
	Contingent Troop	2		4
United Republic of Tanzania	Experts on mission	1		
	Contingent Troop		1	2
Uruguay	Contingent Troop	1		1
Zambia	Experts on mission	1		1
Zimbabwe	Experts on mission	2		
	Contingent Troop	1		3
Total				**3 967**

Annex II

Map of the deployment of the United Nations Interim Security Force for Abyei



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